

IN THE CLAIMS

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Please cancel Claims 22-38 without prejudice and without disclaimer of subject matter.

REMARKS

Claims 1-21 are now presented for examination. Claims 22-38 have been cancelled without prejudice. Claims 1, 7, 12 and 17 are the only independent claims.

A Letter Transmitting Corrected Drawings is submitted herewith to submit a set of formal drawings to replace the informal drawings originally filed and in response to the Notice of Draftsperson's Patent Drawing review. No new matter has been added.

Applicant affirms the election of Group I claims (Claims 1-21) for prosecution on the merits at this time. Claims 22-38 have been cancelled without prejudice or disclaimer of subject matter. Applicant reserves the right to pursue the subject matter of claims 22-38 in one or more divisional applications.

Claims 1-21 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,460,036 (Herz). Applicant traverses and submits that the independent claims are patentable over the prior art for at least the following reasons.

Claim 1 is directed to an apparatus for responding to a current user command associated with one of a plurality of task/domains. The apparatus comprises: means for storing cumulative feedback data gathered from multiple users during previous operations of the apparatus and segregated in accordance with the plurality of task/domains; means for determining the current task/domain with which the current user command is associated; means for determining a current response to the current user command on the basis of that portion of the stored cumulative feedback data associated

with the current task/domain; means for communicating to the user the current response; and means for receiving from the user current feedback data regarding the current response. The current feedback data is added to the cumulative feedback data stored in the storing means and associated with the current task/domain.

In the Office Action dated December 13, 2003, the position was taken at page 3 that the segregating of the cumulative feedback data in accordance with the plurality of task/domains, as recited in Claim 1, is taught by Herz at col. 6, lines 36-44, more specifically in the teaching relating to the term "separate" contained therein. However, as understood by Applicant, that portion of Herz uses the term "separate" in relation to the three conceptual modules, which may be separate entities distributed across many implementing systems. From the discussion that follows, e.g., at lines 44-62, Applicant understands that these separate modules are software modules. Thus, it is not understood how the term "separate" as used in the referenced portion of Herz, and relied upon in the Office Action, bears any relation to the recited segregation of cumulative feedback data recited in Claim 1.

In order to set forth a prima facie case of anticipation, each and every claim feature of the claim under examination must be taught in the cited reference. As discussed above, Herz fails to teach at least the segregation of cumulative feedback data in accordance with a plurality of task/domains as claimed. Accordingly, a prima facie case of anticipation has not been set forth and Claim 1 is believed clearly patentable over Herz.

Claim 17 recites, inter alia, a digital storage device that stores cumulative feedback data gathered during previous operations of the apparatus and segregated in accordance with the plurality of task/domains. For at least the reasons mentioned above in connection with Claim 1, Claim 17 also is believed patentable over Herz.

Claim 7 is directed to a method for responding to a current user command associated with one of a plurality of task/domains. The method comprises: determining the current task/domain with which the current user command is associated; determining a current response to the current user command on the basis of previously gathered and stored feedback data associated with the current task/domain; communicating to the user the current response; receiving from the user current feedback data regarding the current response; and storing the current feedback data. Moreover, in Claim 7, the stored current feedback data is added to cumulative feedback data gathered and stored during previous iterations of the method and associated with the current task/domain.


Applicant has found no teaching in Herz of, inter alia, adding stored current feedback data to cumulative feedback data gathered and stored during previous iterations of the method and associated with the current task/domain. For at least this reason, Claim 7 is believed patentable over Herz. Claim 12 is a computer-readable storage medium claim that recites a feature similar to that discussed above in connection with Claim 7 and is believed patentable for at least the same reasons.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


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